

Serial No. 10/665,948
Response date May 4, 2007
Reply to Final Office Action of March 7, 2007

REMARKS

Status of claims

Applicants thank the Examiner for the consideration given to the present application. Claims 61 and 67 have been canceled without prejudice. Applicants reserve the right to pursue, and submit that nothing herein should be construed as a waiver of this right, the claim scope in the canceled claims in either the present application and/or in other continuation or divisional applications. Claims 42, 45, 50, 52, 57, 60, 68, and 69 have been amended. Support for these amendments is found in the specification and figures. No new matter has been added. Applicants reserve the right to pursue any and/or all claim scope that may have been removed in the present or future continuation or divisional applications. Thus, nothing herein should be construed as a waiver of such scope. Claims 42-60, 62-66, and 68-73 are pending in the present application.

Rejections Under 35 USC §102 and §103

Claims 42-43, 48, 50, 57, 60, 62-65, 69-70 and 73 have been rejected under 35 U.S.C. 102(b) as being anticipated by Guichaoua et al (US 6,308,836). Claims 44-45, 51, 67-68 and 71 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Guichaoua et al (US 6,308,836) in view of Gundrum et al (US 5,891,334). Claims 46, 49, 53, 55, 58 and 72 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Guichaoua et al (US 6,308,836) in view of Reid et al (US 5,591,332). Claims 47, 54, 59 and 66 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Guichaoua et al (US 6,308,836). Claims 52 and 56 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Guichaoua et al (US 6,308,836) in view of Reid et al (US 6,274,038).

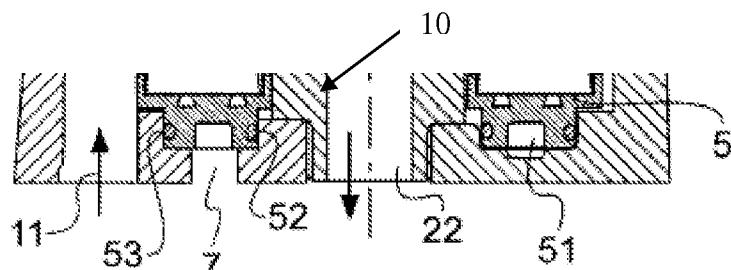
Applicants respectfully traverse these rejections. To anticipate a claim under §102, each and **every element of the claim must be found**, either expressly or inherently described, **in a single prior art reference**. (Emphasis added, *Verdegaal Bros.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Also, in order to establish a prima facie case of obviousness under §103, the Examiner has the burden of showing, by reasoning or evidence, that: 1) there is some suggestion or motivation, either in the references themselves or in the knowledge available in the

art, to modify that reference's teachings; 2) there is a reasonable expectation on the part of one of ordinary skill in the art that the modification or combination has a reasonable expectation of success; and 3) the prior art **references** (or references when combined) **teach** or **suggest** all the claim **limitations**. (Emphasis added, *MPEP* §2145).

References Do Not Teach Every Limitation Of Claims 42, 50, 57, and 69

Applicants respectfully submit that none of the references, singularly or in combination, teach or suggest all the limitations of independent claims 42, 50, 57, and 69. **Claims 42, 50, and 57** recite a water treatment cartridge for treating water comprising, *inter alia*, a housing having an inlet for introducing water into the cartridge and an outlet port for egress of treated water from the cartridge, a first tube that surrounds the outlet port to form a treated water passageway, and second tube that surrounds the first tube forming a gap between an outside surface of the first tube and an inside surface of the second tube. **Claims 50 and 57** further recite that the inside surface of the first tube forms the treated water passageway. **Claim 69** recites a water treatment device capable of sealingly and releasably engaging a water treatment cartridge comprising, *inter alia*, a water treatment cartridge comprising a first tube having an inside surface forming a first water treatment passageway and a second tube surrounding the first tube, and a water treatment device comprising, *inter alia*, an outlet housing having an inside surface that forms a second treated water outlet passageway in fluid communication with the first treated water outlet passageway.

Referring to the portion of Fig. 1 set forth below from Guichaoua, the Examiner asserts that Guichaoua teaches a filter cartridge having a first tube (portion containing o-ring 53) surrounding a second tube (the portion containing o-ring 52) such that a gap (51) is formed.



However, in contrast with claims 42, 50, 57 and 69, Guichaoua does not teach the first tube (the portion containing o-ring 53) nor the second tube (the portion containing o-ring 52) forming a treated water passageway. As shown above, Guichaoua teaches a separate treated water passageway 22 that is formed by a central hollow core 10 of the filter cartridge housing and not formed by Guichaoua's first tube (the portion containing o-ring 53) or second tube (the portion containing o-ring 52) as recited in claim 42. More particularly, neither the inside surface of first tube (the portion containing o-ring 53) nor second tube (the portion containing o-ring 52) forms a passageway for treated water as recited in claims 50, 57, and 69.

In fact, liquid is blocked from passing within either Guichaoua's first tube (the portion containing o-ring 53) or second tube (the portion containing o-ring 52). The only way Guichaoua's first and second tubes could function as a liquid passage way for the filter cartridge would be to remove the filter cartridge 3 and first flange 5 from tank 1. (Fig. 1). However, with the filter cartridge 3 removed, the water entering gap 51 is not treated, but untreated water, and thus Guichaoua's first tube and second tube would not form a treated water passageway as recited in claims 42, 50, 57, and 69. Moreover, Applicants further submit that neither Gundrum nor Reid, singularly or in combination with Guichaoua or each other, teach or suggest a water treatment cartridge for treating water comprising a first tube that surrounds an outlet port of the cartridge to form a treated water passageway, and second tube that surrounds the first tube forming a gap between an outside surface of the first tube and an inside surface of the second tube.

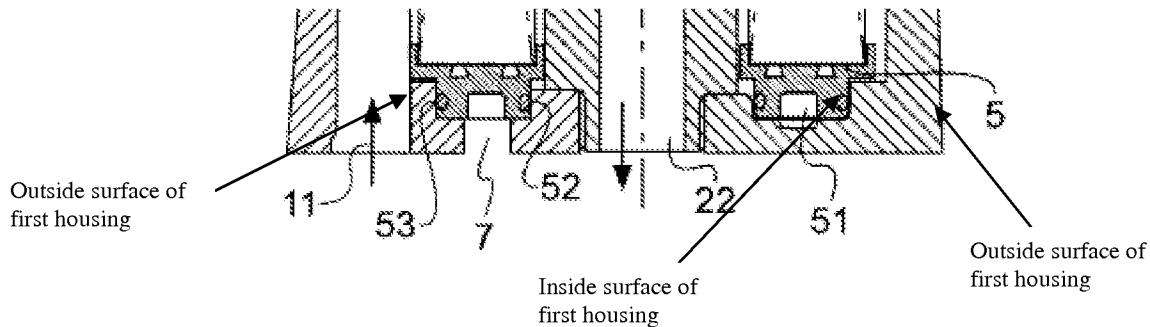
Accordingly, Applicants respectfully request the rejection of claims 42, 50, 57, and 69 under 35 U.S.C. 102 be withdrawn. As claims 43-49, 51-56, and 58-59 depend from claims 42, 50, 57, or 69, Applicants respectfully request the rejection of these claims under 35 U.S.C. 102 and/or 103 be withdrawn as well.

References Do Not Teach Every Limitation Of Claim 60

Applicants respectfully submit that none of the references, singularly or in combination, teach or suggest all the limitations of independent claim 60. **Claim 60** recites a water treatment device comprising, *inter alia*, a first housing surrounding an outlet such that a treated water outlet passageway is formed, the first housing comprising at least one sealing surface along an

outside surface thereof, a second housing comprising at least one sealing surface along an outside surface of the second housing, wherein the second housing surrounds the first housing to form a gap in the area between the outside surface of the first housing, an inside surface of the second housing, and sealing surfaces of the first and second housings; and wherein the gap is disposed between said inlet and the treated outlet passageway.

Referring to the portion of Fig. 1 of Guichaoua set forth below, the Examiner asserts that Guichaoua teaches a filter device having a first housing (the portion of (1) adjacent to o-ring 53) and a second housing (the portion of (1) adjacent to o-ring 52), wherein each comprise an inside surface, and outside surface, and a sealing surface. However, as set forth above, claim 60 recites that the first and second housings each have a sealing surface on their outside surface. In contrast, as clearly shown in the figure set forth below, second housing (as defined by the Examiner as the portion of (1) adjacent to o-ring 52) does not surround the first housing (as defined by the Examiner as the portion of (1) adjacent to o-ring 53). In addition, the sealing surface of the first housing (the portion of (1) adjacent to o-ring 53) is along an inside surface of the first housing, not the outside surface of the first housing as claimed.



Notwithstanding, even if the portion of (1) adjacent to o-ring 52 is defined as the first housing and the portion of (1) adjacent to o-ring 53 is defined as the second housing (the opposite of how the Examiner defined the first and second housings), Applicants submit that Guichaoua still does not teach or suggest Applicants' claimed sealing surface on both the outside surfaces of first and second housings. In this alternate interpretation, the sealing surface of the second housing (the portion of (1) adjacent to o-ring 53) would also be along an inside surface of the second housing, not the outside surface of the second housing as claimed.

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Accordingly, Applicants respectfully request the rejection of claim 60 under 35 U.S.C. 102 be withdrawn. As claims 42-66, 68, and 73 depend from claim 60, Applicants respectfully request the rejection of these claims under 35 U.S.C. 102 and/or 103 be withdrawn as well.

References Do Not Teach Every Limitation Of Claim 70

Applicants respectfully submit that none of the references, singularly or in combination, teach or suggest all the limitations of independent claim 70. **Claim 70** recites a water treatment system comprising, *inter alia*, a water treatment cartridge capable of sealingly and releasably engaging a water treatment device, wherein the water treatment cartridge comprises a first tube having an inside surface and an outside surface and a second tube, and wherein the water treatment device comprises an outlet housing having an inside surface and a vent housing having an inside surface. Claim 70 further recites "wherein at least a portion of said inside surface of said outlet housing forms and defines a treated water outlet passageway" and "wherein said first tube sealingly engages said outlet housing to form a first seal, and wherein said second tube sealingly engages said vent housing to form a second seal and such that said inside surface of said first tube and said inside surface of said outlet housing are in fluid communication."

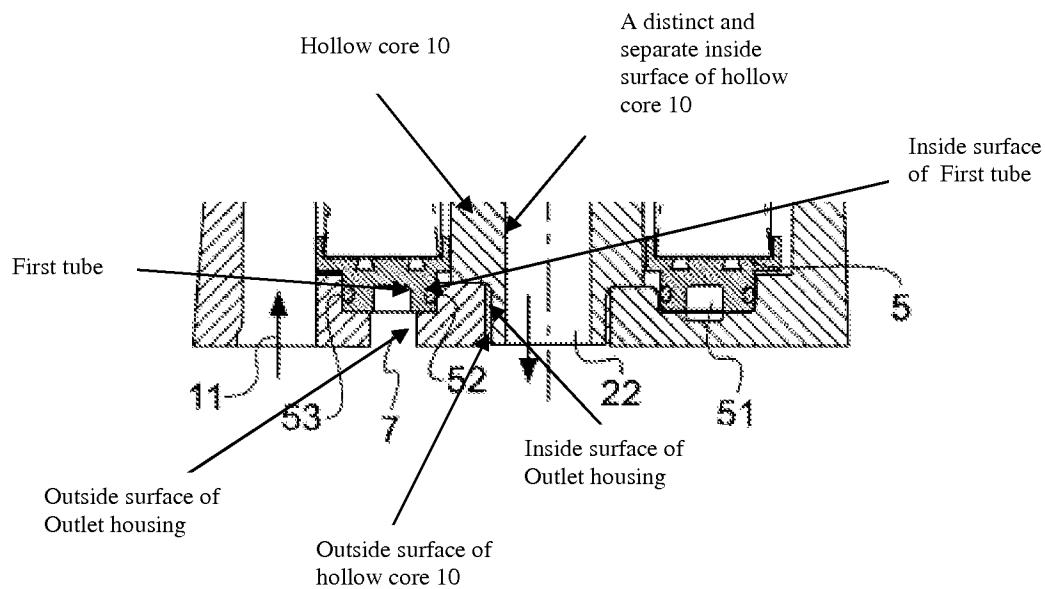
The Examiner asserts the Guichaoua discloses a first tube (the portion containing 0-ring (53)) comprising an inside surface, a second tube (the portion containing o-ring (52)) comprising an inside surface, and a outlet housing (the portion of (1) adjacent to o-ring (52)) having an inside and outside surface. The Examiner further asserts that the inside surface of the first tube and the inside surface of the outlet housing are in fluid communication and that a portion of the inside surface of the outlet housing defines a treated liquid outlet passageway 22. However, Applicants submit that claim 70 recites a single inside surface of the outlet housing that both defines the liquid outlet passageway and is in fluid communication with the inside surface of the first tube.

In contrast and clearly shown in Fig. 1 of Guichaoua (see the portion of Fig. 1 from Guichaoua reproduced below), Guichaoua teaches two distinct and separate inside surfaces of tank 1: a first inside surface of outlet housing (see figure below) that is adjacent to an outside surface of hollow core 10 (outlet passageway 22); and a second inside surface of hollow core 10 that defines outlet passageway 22 (see figure below). The Applicants submit that Guichaoua

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does not teach or suggest either of these two distinct and separate inside surfaces being in fluid communication with the inside surface of first tube (the portion containing o-ring (52)).

Nowhere does Guichaoua teach or suggest the two distinct and separate inside surfaces of outlet housing be combined as one inside surface of outlet housing that both defines a liquid outlet passageway and is in fluid communication with the inside surface of the first tube as recited in claim 70.



Accordingly, Applicants respectfully request the rejection of claim 70 under 35 U.S.C. 102 be withdrawn. As claims 71 and 72 depend from claim 70, Applicants respectfully request the rejection of these claims under 35 U.S.C. 102 and/or 103 be withdrawn as well.

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CONCLUSION

Applicants respectfully submit that the present application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
DINSMORE & SHOHL

By /Paul M. Ulrich/
Paul M. Ulrich
Registration No. 46,404

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402
Telephone: (937) 449-6400
Facsimile: (937) 449-6405

PMU/AMM